

**Town of Canton Regular Board Meeting
Wednesday, September 14, 2022
In Person & Zoom (view only) @ 6:00 PM
Minutes**

PRESENT:

Mary Ann Ashley	----	Town Supervisor
Bob Washo	----	Council Member
Jim Smith	----	Council Member
John Taillon	----	Council Member
Bob Santamoor	----	Council Member

Also Present: Town Clerk/Tax Collector Heidi L. Smith, Deputy Town Clerk Leanna Moquin (zoom), Assessor Cindy Brand, Code Enforcement Officer Mike McQuade, Highway Superintendent Steven Smith, Historian Linda Casserly, Justice Mike Morgan (zoom), Recreation Director Megan Richardson, Angela Gray CPA, Attorney Eric Gustafson

Absent: Economic Developer Leigh Rodriguez

Public Attendance: Toby Irvén, Paul Mitchell North Country This Week, Tom Graser Watertown Daily Times, Alexia Lamb (zoom), John Casserly (zoom), Klaus Proemm (zoom), Bill Buchan Esq from Buchan Law, Rachael Towne Historian Assistant

A. Call Meeting to Order/Welcome

Supervisor Ashley called the meeting to order at 6:00 PM.

B. Presentation-Community Choice Aggregation-Joule Community Power

Alexia Lamb from Joule Community Power gave a brief presentation on clean energy for the Town of Canton. Alexia asked if the board has any questions to please contact her.

C. Public Comment

None

D. County Legislature Representative(s) Update(s)

None

E. Approval of Minutes

A motion was made by Council Member Bob Santamoor and seconded by Council Member John Taillon to approve the Joint Town/Village Board Meeting 7/27/2022, Regular Board Meeting 8/10/2022, and Special Meeting 8/25/2022 minutes. All in favor. Motion carried.

F. Correspondence

Supervisor Ashley received a letter from the St. Lawrence County Office of Emergency Services Bureau of Emergency Medical Services. The letter included call volume and

turnover statistics.

See attached letter.

G. Town Finances Report

Angela Gray, Gray & Gray read over the highlights of the 2022 Town monthly financial report. Financial report was sent to the Town Council prior to the monthly meeting.

Angela Gray, Gray & Gray read over the Town Clerk's financial report for the month of August 2022. The Town Clerk's Report was sent to Town Clerk Smith and the Town Council prior to the monthly meeting.

H. Audit Committee

"A" General Fund	\$64,743.43
"B" Town Outside	\$4,549.88
"DA" Town Wide Highway	\$36,200.99
"DB" Highway	\$177,164.92
"SF" Special Fire	\$3,958.00
"SL" Special Lighting	\$285.36
"TA" Trust & Agency	\$20,364.25

A motion was made by Council Member Jim Smith and seconded by Council Member John Taillon for the approval of the September expenditures.
All in favor. Motion carried.

I. Acceptance of Department Reports

ASSESSOR

Assessor Brand reported that the St. Lawrence County Auction has started. Brand is working with Supervisor Ashley to get a press release out for members of the Board of Assessment Review.

CODE ENFORCEMENT OFFICER

Code Officer McQuade reported that thirteen new building permits were issued, nine compliance and one occupancy with a total project cost of \$873,100. McQuade continues to be busy with solar projects. The Town is up to eight solar projects as this time.

HIGHWAY SUPERINTENDENT

Highway Superintendent Smith reported the pipes have been installed on the Irish Settlement Road to help with flooding. There are plans to add additional pipe at another location on the Irish Settlement Road along with one on the Old Dekalb Road to help with flooding problems. Smith thanked Recreation Director Richardson for letting him use the mower. Smith reported the Finnegan Road has been completed. The crew installed 240' of underground drainage pipe at the Rensselaer Falls Fire Department.

Smith reported the new loader has arrived. Road mowing is still underway.

HISTORIAN

Historian Casserly introduced Rachael Towne. Rachael is the part time assistant in the Historian's Office. Casserly has been working on packing for the move to the new building.

RECREATION

Recreation Director Richardson added to her report that the engine of the Olympia has been repaired. The first day of scheduled ice is October 2nd.

TOWN CLERK/TAX COLLECTOR

Clerk Smith reported that August was a busy month. Hunting licenses went on sale August 1st. Smith congratulated Deputy Clerk Moquin for getting her notary. There are now two notaries in the Clerk's Office. Smith thanked Highway Superintendent Smith for meeting to go over the records that are kept at the highway barn. Smith also thanked Village Trustee Carol Pyncheon for helping with the website to separate the Code Officer pages.

A motion was made by Council Member John Taillon and seconded by Council Member Bob Washo to accept the department reports as presented.
All in favor. Motion carried.

J. Committee Reports

Highway Committee

Bob Washo reported that the highway committee and Complete Streets met and are close to being able to present language to codify Complete Streets in the Town Law.

Zoning & Code

Bob Washo reported that zoning and code continue to meet weekly. There has been full participation which is good.

Solar Committee

Bob Washo reported the solar committee continues to meet. Further discussion will take place in executive session.

Sustainability Committee

Bob Santamoor reported the committee met last week and there was a discussion on supporting a bill of rights for the Grasse River to create an option if a business for example pollutes the Grasse River there can be legal action taken. There are still questions that need to be asked and answered about the bill of rights.

Economic Development Committee

Bob Santamoor reported there is a DRI/New York Forward public information session tomorrow at 6:30 PM.

Communications/Technology Committee

John Taillon reported that ABS, IT for the Town of Canton, has concerns with going from three lines to two lines. The email from ABS was forwarded to the board. It is the recommendation to put a hold on this. John also reported that the Town still needs to upgrade the internet from 50/50 to 100/100. This is done through SLIC.

Negotiation Committee

Jim Smith reported the committee met and there is a tentative agreement and is hoping to see a draft of the contract soon.

K. Old Business

1. Set Public Hearing to Change to Open Meeting Law-Video Conferencing

A public hearing is set for October 12, 2022, at 6:15 PM to consider a local law to change to open meeting law-video conferencing.

2. Discuss purchase of Town Vehicle

Further discussion was had on the purchase of a Town vehicle. Council Member Santamoor handed out a report to the board. The report is a five-year comparison on a gas vehicle vs an electric vehicle. Based off the report it would cost more money to purchase an electric vehicle vs a gas vehicle. The report came from Edmunds.com. Council Member Washo commented that maybe we could be more creative and offer more compensation to employees. Council Member Smith would like to have a discussion with department heads and discuss different possibilities. Supervisor Ashley thinks the Town should have a Town vehicle and use ARPA funds for that. Discussion was had on leasing a vehicle.

3. ARPA Funds

Supervisor Ashley reported that the Town does not have the authority legally to do an interfund transfer to purchase Stiles Avenue. This is coming from the Comptroller's Office. Council Member Washo would like to see in writing from the Comptroller stating the Town does not have the authority to do so.

Council Member Smith does not think the ARPA funds should be used to purchase Stiles Avenue

A motion was made by Council Member Bob Santamoor and seconded by Supervisor Mary Ann Ashley to approve the expenditure of a total of \$242,084.55 of ARPA funds for the purchase of 12 Stiles Avenue and authorize the Town Supervisor to transfer and expand ARPA funds to and from the proper account.

Aye (4) Bob Santamoor, Mary Ann Ashley, John Taillon, Bob Washo

No (1) Jim Smith
Motion carried.

See attached resolution.

4. Return Portion of JCAP Grant Funds

Supervisor Ashley read the JCAP Grant-Funds Resolution.

A motion was made by Council Member John Taillon and seconded by Council Member Bob Santamoor to authorize Supervisor Ashley to return \$12,447.00 to New York State Commissioner of Taxation and Finance.

All in favor. Motion carried.

See attached resolution.

5. Approve Front End Loader Financing Agreement

Supervisor Ashley stated that the Front End Loader Financing Agreement is a 5-year agreement.

A motion was made by Council Member Jim Smith and seconded by Council Member Bob Santamoor to approve the front end loader financial agreement.

All in favor. Motion carried.

See attached resolution.

6. 2010 Front End Loader

Highway Superintendent Smith would like to advertise and see what they can get for a bid. If that does not work, Auction International Services would be the next option.

Supervisor Ashley and Smith will work together to get a legal notice created.

L. New Business

1. Recognition of Board Assessment Review Chairperson-Bob Blewett

Supervisor Ashley recognized Board of Assessment Review Chairperson Bob Blewett and thanked him for his 30 years of service.

2. Consider change in Board Meeting Day

Supervisor Ashley stated that court will be going back to four days a month and that the first two Wednesdays of the month court will begin at 3:30 PM instead of 1:30 PM. There is concern that with the change in the court schedule it could possibly interfere with the regular board meetings and getting set up in time for the meeting to start at 6:00 PM. Discussion was had amongst the board and it was decided to keep the regular board meetings on the second Wednesday of the month but change the time to 6:30 PM starting in October.

3. Set a Public Hearing to Consider Tax Cap Override

A public hearing is set for October 12, 2022, at 6:25 PM to consider a local law to override the tax cap if necessary.

4. Review of COVID Reporting Policy

Supervisor Ashley stated this is for informational purposes, the COVID policy needs to be reviewed and asked that the policy committee review that.

5. SOLAMERICA Energy, LLC/SH 310-Site #2 Escrow Account Set Up

A motion was made by Council Member Bob Washo and seconded by Council Member Jim Smith to allow Supervisor Ashley to set up an escrow account for the SOLAMERICA Energy, LLC/SH 310-Site #2.

All in favor. Motion carried.

See attached resolution.

6. FOREFRONT POWER-29 Nickerson Road Escrow Account Set Up

A motion was made by Council Member Bob Santamoor and seconded by Council Member Bob Washo to allow Supervisor Ashley to set up an escrow account for FOREFRONT POWER-29 Nickerson Road.

All in favor. Motion carried.

See attached resolution.

7. Annual Declaration of Constitution Week September 17-23, 2022

Supervisor Ashley read the Annual Declaration of Constitution Week September 19-23, 2022.

See attached declaration.

8. Confidential Secretary/Bookkeeper Appointment

Supervisor Ashley stated that the interviewing process has started, and thanked Council Member John Taillon for helping with the interviewing process.

M. Public Comment

None

Executive Session: Upon a majority vote a motion that identifies the subject to be considered, the Council may conduct an executive session to discuss any of the issues identified as proper by Public Officers Law 105(1)

A motion was made by Council Member Bob Santamoor and seconded by Council Member Bob Washo to go into executive session for the purpose of [E] collective negotiations.

All in favor. Motion carried.

Bill Buchan, Solar Attorney was invited into executive session.

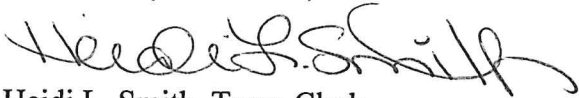
A motion was made by Supervisor Mary Ann Ashley and seconded by Council Member John Taillon to adjourn executive session at 9:30 PM.

All in favor. Motion carried.

A motion was made by Council Member Bob Washo and seconded by Council Member Bob Santamoor to adjourn the meeting at 9:31 PM.

All in favor. Motion carried.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Heidi L. Smith", with a stylized flourish at the end.

Heidi L. Smith, Town Clerk



ST. LAWRENCE COUNTY OFFICE OF EMERGENCY SERVICES
BUREAU OF EMERGENCY MEDICAL SERVICES
48 Court Street; EMS • Canton, NY 13617 • www.stlawco.org

MAILED
DATE 9/6/22

St. Lawrence County EMS Agencies and Municipal Leaders,

Beginning June 1st, at the beginning of every month the St. Lawrence County Office of Emergency Services Bureau of Emergency Medical Services in conjunction with the St. Lawrence County EMS Advisory Board started providing call volume and turnover statistics to all EMS agencies. Beginning August 1st, 2022, the same letter started being provided to every municipality as well.

Call turnovers are considered any call in which the agency is toned and is unable to respond an ambulance, thus requiring mutual aid. This can be due to a variety of reasons including, but not limited to: Inability to staff an ambulance with the appropriate personnel (Lack of volunteers/paid staff), multiple calls for the agency resulting in no apparatus available, etc. It is important to note that a call turnover results in having to dispatch an ambulance from another jurisdiction, reducing that mutual aid ambulance service's availability to provide coverage for those in their primary response territory.

August, 2022				YTD - 2022			
Agency	Calls	Turnover	Coverage		Calls	Turnover	Coverage
Canton Rescue	133	2	98%		1271	49	96%
Colton Rescue	22	6	73%		214	43	80%
Cranberry Lake Rescue	12	0	100%		52	4	92%
Gouverneur Rescue	131	0	100%		1062	5	100%
Hammond Rescue	10	6	40%		75	41	45%
Hermon Rescue	33	24	27%		271	155	43%
Lisbon Rescue	23	11	52%		225	84	63%
Madrid Rescue	23	7	70%		248	71	71%
Massena Rescue	335	11	97%		2465	128	95%
Morristown Rescue	34	1	97%		249	21	92%
Norfolk Rescue	58	20	66%		474	212	55%
Ogdensburg Rescue	207	4	98%		1582	37	98%
Parishville Rescue	45	0	100%		376	6	98%
Potsdam Rescue	186	28	85%		1526	261	83%
Rensselaer Falls Rescue	10	5	50%		130	44	66%
Star Lake Rescue	24	3	88%		157	20	87%
Seaway Valley EMS	46	5	89%		446	28	94%
Tri-Town Rescue	86	7	92%		686	86	87%
Waddington Rescue	14	4	71%		175	39	78%
COUNTYWIDE	1432	144	90%		11684	1334	89%

EMS in our County is struggling, and intervention is necessary to keep the system afloat and operational. County call turnover statistics, as displayed above, are at an all-time high (2020: 94% coverage rate, 2021: 90% coverage rate, 2022 YTD: 89% coverage rate), which has resulted in over-utilization of mutual-aid ambulance companies; companies that may see little-to-no financial reimbursement for coverage. Average ambulance response times have increased 5 minutes 13 seconds from 2019, with the longest response time of 2021 being 1 hour and 43 minutes, and the second longest being 1 hour and 26 minutes.

DATED: 09/01/2022



ST. LAWRENCE COUNTY OFFICE OF EMERGENCY SERVICES
BUREAU OF EMERGENCY MEDICAL SERVICES
48 Court Street; EMS • Canton, NY 13617 • www.stlawco.org

It is encouraged that municipal and agency leaders work together to determine the issues surrounding EMS in their respective communities, as well as investigate avenues to mitigate issues found. Upfront honesty and joint coordination are necessary to assist in combating the EMS crisis that we are facing.

For any questions or concerns regarding the above information, additional data/statistics, or are a municipal leader seeking contact information for your local ambulance agency providing services to your area, please contact the St. Lawrence County Emergency Services Bureau of EMS Office at (315)379-2240 or jmitchell@stlawco.org.

Respectfully,

A handwritten signature in black ink, appearing to read "Jonathan W. Mitchell".

Jonathan W. Mitchell
Deputy Director of Emergency Services

DATED: 09/01/2022

**TOWN OF CANTON
RESOLUTION NO. 17
September 14, 2022**

COPY

**BUDGET AMENDMENT(S) FOR AMERICAN RESCUE PLAN ACT (ARPA)
COVID 19 PANDEMIC FEDERAL FUNDS**

WHEREAS, the Town of Canton received a total of \$217, 332.68 from New York State on July 22, 2021 and August 30, 2021 as part of the American Rescue Plan Federal COVID funds. The second installment of \$217,332.68 was received in July 19, 2022; and

WHEREAS, the Town of Canton has determined the negative financial impact to the 2020 budget with loss of revenue in justice fees, state highway reimbursement, state revenue sharing, town clerk fees, and building construction fees; and

WHEREAS, the Town Board of the Town of Canton has conducted due diligence on the use of ARPA funds and approves:

#1-Purchase of 12 Stiles Avenue - \$242,084.55

NOW THEREFORE BE IT RESOLVED, the Town of Canton hereby approves the expenditure of a total of \$242,084.55 of ARPA funds listed above and the Town Board hereby authorizes the Town Supervisor to transfer and expend ARPA funds to and from the proper accounts.

9/14/2022
Date

Wendy Smith
Canton Town Clerk

RESOLUTION 18
September 14, 2022

COPY

JCAP Grant-Return of Funds

WHEREAS, the Canton Town Court was awarded \$13,705.89 in JCAP (Justice Court Assistance Program) grant funds for 2022 and;

WHEREAS, due to unforeseen special circumstances for the construction projects, state mandated timeline to expend all funds by of August 15, 2022 and the denial of an extension, the town needs to return the remaining funds not expended and;

WHEREAS, a total amount spent was \$1,258.89 leaving an unspent balance of \$12,447.00 needing to be returned and;

NOW, THEREFORE, BE IT RESOLVED THAT, the Canton Town Board authorizes Supervisor Ashley to return \$12,447 to New York State Commissioner of Taxation and Finance.

9/14/2022

Date

V. Bedi

Canton Town Clerk

RESOLUTION 19
September 14, 2022

COPY

Town of Canton

Installment Purchase Contract dated as of September 14, 2022, between KS StateBank
(Obligee) and Town of Canton, County of St. Lawrence, New York (Obliger)

At a duly called meeting of the Governing Body of the Obliger (as defined in the Contract) held
on September 14, 2022 the following resolution was introduced and adopted:

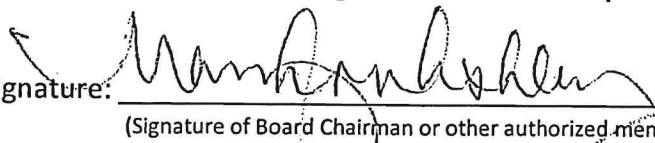
BE IT RESOLVED by the Governing Body of Obliger as follows:

1. Determination of Need. The Governing Body of Obliger has determined that a true and
very real need exists for the acquisition of the Equipment described on Exhibit A of the
Installment Purchase Contract dated as of September 14, 2022, between Town of Canton,
County of St. Lawrence, New York (Obliger) and KS State Bank (Obligee).

2: Approval and Authorization. The Governing Body of Obliger has determined that the
Contract, substantially in the form presented to this meeting, is in the best interests of the
Obliger for the acquisition of such Equipment, and the Governing Body hereby approves the
entering into of the Contract by the Obliger and hereby designates and authorizes the following
person(s) to execute and deliver the Contract on Obliger's behalf with such changes thereto as
such person(s) deem(s) appropriate, and any related documents, including any Escrow
Agreement, necessary to the consummation of the transaction contemplated by the Contract.

Authorized individual(s): Mary Ann Ashley Supervisor
(Typed or Printed Name and Title of individual(s) authorized to execute the Contract)

3. Adoption of Resolution. The signatures below from the designated individuals from the
Governing Body of the Obliger evidence the adoption by the Governing Body of this Resolution.

Signature: 
(Signature of Board Chairman or other authorized member of the Obligers Governing Body)

Printed Name & Title: Mary Ann Ashley Supervisor
(Printed Name and Title of Individual who signed directly above)

Attested By: 
(Signature of Obligers Board Secretary or Board Clerk)

Printed Name & Title: Heidi L. Smith Town Clerk
(Printed Name of individual who signed directly above)

9/14/2022
Date


Town Clerk

COPY

TOWN OF CANTON
RESOLUTION 20
September 14, 2022
2022 BUDGET AMENDMENT
ESTABLISHING AN ESCROW ACCOUNT FOR
SOLAMERICA ENERGY, LLC/ROUTE 310 SOLAR PROJECT SITE #2

WHEREAS, the Town of Canton passed local law three (3) of 2019 regulating solar energy facilities within the Town, and

WHEREAS, SECTION 1: Chapter 71 of the Town Code of the Town of Canton is created to add the following section: Solar Energy Facilities for the purpose to promote the accommodation of solar energy systems and equipment and the provision for adequate sunlight and convenience of access necessary therefore, and to balance the potential impact on neighbors when solar collectors may be installed near their property while preserving the rights of property owners to install solar energy systems without excess regulation. In particular, this legislation is intended to apply to free standing; ground or pole mounted and roof mounted solar energy system installations based upon certain placement. This legislation is not intended to override agricultural exemptions that are currently in place, and

WHEREAS, the Applicant for either state or local siting approval shall deliver to the Town Board, along with its application if local approval is sought, and concurrent with the filing of an Article 10 Application, if applicable, an amount equal to one percent (1%) of the estimated cost of the project (the "Initial Deposit"). This sum shall be held by the Town in a non-interest-bearing account, and these funds shall be available to the Town to pay consultants and attorneys engaged the Town to assist in application review if a local permit is sought, and to pay consultants and attorneys engaged by the Town to assist in review of an Article 10 Application should awarded intervenor funds be insufficient to fully participate in the Article 10 Process or should intervenor funds be otherwise exhausted. Following the grant or denial of the state or local application, the Town shall return to the Applicant any excess remaining in escrow. of the escrow account has been depleted prior to grant or denial of the application, the Applicant shall deposit such funds necessary for the Town to pay any outstanding fees to said consultants, and

WHEREAS, the Town Supervisor, as Chief Fiscal Officer, would set up the proper escrow account and audit tracking systems; and

NOW THEREFORE BE IT RESOLVED that the Canton Town Board hereby authorizes the Town Supervisor to create an escrow account for authorized expenditures related to the SOLAMERICA ENERGY, LLC/ROUTE 310 SOLAR PROJECT SITE #2.

9/14/2022
Date

W. Dick Smith
Canton Town Clerk

COPY

TOWN OF CANTON
RESOLUTION 21
September 14, 2022
2022 BUDGET AMENDMENT
ESTABLISHING AN ESCROW ACCOUNT FOR
FOREFRONT POWER, LLC-29 NICKERSON ROAD SOLAR PROJECT

WHEREAS, the Town of Canton passed local law three (3) of 2019 regulating solar energy facilities within the Town, and

WHEREAS, SECTION 1: Chapter 71 of the Town Code of the Town of Canton is created to add the following section: Solar Energy Facilities for the purpose to promote the accommodation of solar energy systems and equipment and the provision for adequate sunlight and convenience of access necessary therefore, and to balance the potential impact on neighbors when solar collectors may be installed near their property while preserving the rights of property owners to install solar energy systems without excess regulation. In particular, this legislation is intended to apply to free standing; ground or pole mounted and roof mounted solar energy system installations based upon certain placement. This legislation is not intended to override agricultural exemptions that are currently in place, and

WHEREAS, the Applicant for either state or local siting approval shall deliver to the Town Board, along with its application if local approval is sought, and concurrent with the filing of an Article 10 Application, if applicable, an amount equal to one percent (1%) of the estimated cost of the project (the "Initial Deposit"). This sum shall be held by the Town in a non-interest-bearing account, and these funds shall be available to the Town to pay consultants and attorneys engaged the Town to assist in application review if a local permit is sought, and to pay consultants and attorneys engaged by the Town to assist in review of an Article 10 Application should awarded intervenor funds be insufficient to fully participate in the Article 10 Process or should intervenor funds be otherwise exhausted. Following the grant or denial of the state or local application, the Town shall return to the Applicant any excess remaining in escrow. of the escrow account has been depleted prior to grant or denial of the application, the Applicant shall deposit such funds necessary for the Town to pay any outstanding fees to said consultants, and

WHEREAS, the Town Supervisor, as Chief Fiscal Officer, would set up the proper escrow account and audit tracking systems; and

NOW THEREFORE BE IT RESOLVED that the Canton Town Board hereby authorizes the Town Supervisor to create an escrow account for authorized expenditures related to the FOREFRONT POWER, LLC-29 Nickerson Road Solar Project.

9/14/2022
Date

Wendy Smith
Canton Town Clerk

TOWN OF CANTON

PROCLAMATION

Whereas: *The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and*

Whereas: *September 17, 2022, marks the two hundred thirty fifth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and*

Whereas: *It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and*

Whereas: *Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;*

Now, Therefore I, Mary Ann Ashley, *by virtue of the authority vested in me as Supervisor of the Town of Canton do hereby proclaim the week of September 17 through 23 as*

Constitution Week

And ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties,

In Witness Whereof, I have hereunto set my hand and caused the Seal of the Town of Canton to be affixed this 14th day of September of the year two thousand twenty-two.

Signed


Town of Canton Supervisor

Date

9/14/22

